

BEFORE THE ADMINISTRATIVE HEARING COMMISSION
STATE OF MISSOURI

DOUGLAS M. OMMEN, Director
Department of Insurance, Financial
Institutions and Professional Registration
State of Missouri,

Petitioner,

v.

Gregory Lee Fetters,

Respondent.

Serve at:

1305 N. Cedar Crest Dr
Independence, MO 64056
(913) 221-8332

FILED

FEB 06 2007

ADMINISTRATIVE HEARING
COMMISSION

CASE NO. 07-0162DI

060608244C

COMPLAINT

Douglas M. Ommen, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration, for his Complaint against Respondent, Gregory Lee Fetters, states as follows:

1. Petitioner is the Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration ("the Director") whose duties, pursuant to Chapters 374 and 375 of the Revised Statutes of Missouri, include the supervision and regulation of licensed insurance producers.

2. At all times mentioned herein, Respondent was a licensed insurance producer (license No. PR342519) in the State of Missouri. Respondent's insurance license expired on February 3, 2007.

3. This Commission has jurisdiction over this Complaint pursuant to § 621.045, RSMo (2000).

COUNT I

4. Petitioner re-alleges and expressly incorporates the allegations in paragraphs 1–3.

5. Respondent has signed the name of another to an application for insurance, or to other documents related to the business of insurance, a ground for discipline under § 375.141.1(10), RSMo (Cum. Supp. 2005).

6. The facts are as follows:

a. On March 20, 2006, the Missouri Department of Insurance (“the Department”) received written correspondence from Respondent’s employer, American Family Life Assurance Company of Columbus (“AFLAC”), indicating that they had terminated Respondent for cause and he was not eligible for rehire.

b. AFLAC stated Respondent was terminated as a result of an internal investigation which revealed he had forged an applicant’s signature on an application for insurance. Specifically, Respondent enrolled employees of Harvey Jones Engineering into different types of insurance plans whereby they signed a paper application. Respondent, after obtaining the signatures of the prospective applicants on the written application, generated new plans with additional coverage through a computer application, and affixed the signatures of the applicants onto the electronic application without their consent or knowledge.

c. Subsequent to AFLAC’s investigation and correspondence, the Department scheduled a conference with Respondent to discuss the allegations set forth by his former employer.

d. On May 23, 2006, Respondent attended the scheduled conference with the Department and admitted that he neither completed nor submit the applications in the appropriate or correct manner and that he either transferred or affixed the signatures of Harvey Jones Engineering employees to new insurance plans with the added coverage without the employee's knowledge or consent.

7. As a result, sufficient grounds exist for disciplining Respondent's insurance license pursuant to § 375.141.1(10), RSMo (Cum. Supp. 2005).

COUNT II

8. Petitioner re-alleges and expressly incorporates the allegations in paragraphs 1–3.

9. Respondent has used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere, a ground for discipline under § 375.141.1(8) RSMo (Cum. Supp. 2005).

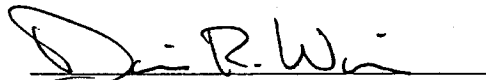
10. The facts are as follows:

a. Petitioner re-alleges and expressly incorporates the allegations in paragraph 6.

11. As a result, sufficient grounds exist for disciplining Respondent's insurance license pursuant to § 375.141.1(8), RSMo (Cum. Supp. 2005).

WHEREAS, based on the foregoing, Petitioner respectfully requests that the Commission make findings of facts and conclusions of law stating that Petitioner has established cause to discipline the insurance license of Respondent.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. R. Wallis", written over a horizontal line.

David R. Wallis
Missouri Bar Number 59114
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ATTORNEY FOR PETITIONER
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